THIS WEEK'S FORUM: PAGE 23

R4808 - 2

READY TO ACT

In the wake of such catastrophic events as shootings in school, student suicides, and school-bus accidents, the Los Angeles and Houston districts have formed "crisis teams" to provide "psychological first aid" to pupils and staff members.

See Page 6.

PRIMED FOR CHANGE

After 15 months of study, a privately financed commission has called for major changes in the structure of the teaching profession in California, including smaller classes, $25,000 starting salaries, and more rigorous teacher training.

See Page 7.

TIME TO MOVE

Ernest L. Boyer, head of the Carnegie Foundation, has proposed a plan to strengthen the teaching profession.

See Page 5.

EDUCATION WEEK

American Education's Newspaper of Record Volume V, Number 11 · November 13, 1985

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P.L. 94-142 at 10-Year Mark

Steady Rise in Learning-Disabled Spurs Review

By Alina Tugend

The Education for All Handicapped Children Act was passed "with a very clear mandate," wrote Laurence Lieberman in his 1984 book *Preventing Special Education For Those Who Don't Need It.* "When this mandate was given, a handicapped child was not handicapped because he was failing in school, but he was failing in school because he was handicapped."

But in the 10 years since the passage of the landmark law governing the educational rights of handicapped children, the line between those who fail in school and those who are handicapped is becoming increasingly blurred, stretching special-education funding and resources to their limits.

So steadily has the special-education population grown—and in particular, the "learning-disabled" group—that this 10th anniversary year of the law has seen one state exceed its federal per-pupil funding limit and others approach the 12 percent

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DAVID GROSSMAN

A learning-disabled pupil receives individual attention in a special-education class at St. Agatha's School in Nanuet, N.Y. For interview with Education Department's special-education chief and related stories, see pages 16-21.

E.D Voucher Bill, In Shift, Offers Parents Choices

Plan Bypasses Districts In Direct Family Options

By James Hertling

WASHINGTON—Education Department officials have revised their Chapter 1 voucher proposal and will soon send to the Congress a bill radically different from previous legislation.

A near-final draft of the new bill, which was obtained by *Education Week*, states that parents would be able to redeem a $600 voucher on demand for educational services at a public or private school and to spend it either for tuition or remedial services.

In contrast, the Reagan Administration's 1983 bill and legislation prepared after the Supreme Court's July 1 decision in *Aguilar v. Felton*—which barred Chapter 1 teachers from religious-school classrooms—would have required school districts to enact a Chapter 1 voucher program before parents could get the federal voucher.

"I got tired of compromising with ourselves," Undersecretary of Education Gary L. Bauer said in an interview, explaining the changes in the bill.

Other officials and lobbyists said that changes in the bill were made in an effort to guarantee expanded parental choice and to solidify political support for the legislation.

Opponents of vouchers call the bill a threat to public education, and say it would undermine the Chapter 1 program, promote racial and economic segregation in schools, and unconstitutionally support religious schools.

Continued on Page 13

States Link Funding to Vocational Programs' Job Placement

By Susan Hooper

When Gov. Richard L. Thornburgh of Pennsylvania recently proposed using job-placement rates for vocational-education graduates as a means of evaluating the state's vocational programs, he was following the lead of legislators in Florida and South Carolina, where similar placement-rate standards are already law.

But though officials in all three states praise such criteria as a way of making vocational programs more accountable, professionals in the vocational field are questioning the wisdom of using quantitative measures to determine quality and purpose.

They contend that the number of recent graduates who find jobs related to their secondary-school training is an inadequate measure of a vocational program's effectiveness. And they say that tracking graduates will be a costly, complicated diversion from more important tasks.

Dean Griffin, acting executive director of the American Vocational Association, called the approach "restrictive and undesirable."

"Placement of people in the first job is not the total purpose of vocational education," he said. "We are just as concerned about the fourth or fifth job down the road, and the person's employability at age 35 or 40. The transfer of knowledge is terrifically important."

A similar position was taken a year ago by the National Commission on Secondary Vocational Education, a panel charged by former Secretary of Education Terrel H. Bell with assessing the strengths and weaknesses of the nation's school-based programs.

"Current program standards and accountability measures are useful but not central to issues of teaching and learning," said the group in its report, "The Unfinished Agenda: The Role of Vocational Education in the High School."

The group's lone recommendation in this area was that "the effectiveness of vocational instruction should be judged by before-

Continued on Page 12

Gun Problem in Schools Grows Despite Security Precautions

By William Snider

Tough anti-weapons policies enacted by many school districts during the past several years have failed to stop students from carrying and using guns on school grounds, officials are saying this fall.

During National Safe Schools Week, Oct. 20-26, for example:

- Two students were shot in a Washington, D.C., high school in an argument over a radio. In an unrelated incident, a 7th-grade student was arrested for carrying a loaded .38-caliber handgun in his bookbag. Only one student had been found possessing a gun in the previous four years.
- A 17-year-old high-school senior was shot and killed on the grounds of a high school in Prince George's County, Md., near Washington, the first killing at one of the county's schools in 10 years.
- Police arrested a 14-year-old student in Boston after finding a loaded .22-caliber pistol in a coat on a desk next to him. It was the fourth gun confiscated in Boston public schools in a three-week span—twice the number found during the entire 1984-85 school year.

Because such incidents have become increasingly common, most urban school districts have adopted stricter weapons policies. Many have permitted broader search procedures, increased the presence and the authority of school security guards, and made expulsion the penalty for possessing a weapon on school grounds.

But in most cases these policies have had little long-term effect, according to school officials, because the problem originates in the surrounding community and cannot be solved by schools alone.

Continued on Page 14

IN SUMMARY

Back to the Drawing Board
The California Board of Education has asked six publishers to make further revisions in 24 7th- and 8th-grade science textbooks, which may have to be printed in two different versions. **Story on Page 8.**

A Halt to Drug-Use Declines
A new study says the overall rate of drug-use among high-school seniors leveled off last year after five years of declines, but the use of cocaine and other "hard" drugs increased. **Story on Page 10.**

Teachers and Affirmative Action
The U.S. Supreme Court has heard arguments in a case involving 10 white teachers with seniority who were laid off under the terms of a Michigan school district's employment policy. **Story on Page 11.**

I.R.S. Ruling Raises Ire
After protests by civil-rights advocates, the Internal Revenue Service has agreed to review its decision restoring tax-exempt status to an all-white private school founded to avoid integration. **Story on Page 11.**

A Balanced-Budget Bill Rebuttal
Secretary of Education William J. Bennett and other supporters of a bill to eliminate the federal budget deficit have dismissed concerns that it would cut deeply into education spending. **Story on Page 11.**

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FORUM
"Reconnecting At-Risk Youth: It Can Be Done," Education Commission of the States
Statement on Page 23.

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THE WEEK

FEDERAL

E.D. Exempts Research From Publication Review

The Education Department last week announced that research publications would be exempt from review by the in-house committee that must clear virtually all of the department's publications, as part of a reform of that panel.

The committee was charged by researchers with censorship this year for blocking many of the publications of department-funded education laboratories.

Undersecretary of Education Gary L. Bauer denied the charge but subsequently reversed the publication bans and announced the intended reform of the committee.

The review system was established in 1982, following a White House order that agencies cut publication costs.

In addition to the exemption of research studies, the reforms change the name of the panel from the Publication and Audiovisual Advisory Council to the Publications Review Board and cut the membership from five political appointees to three. Staff support will be increased and applications for review will be staggered to ease the workload.

To increase efficiency, the board will scrutinize publication efforts more closely when a grant or contract award is made, rather than when the work is completed and ready to be published, according to the Education Department announcement.

NATIONAL

A.F.L.-C.I.O. Backs Testing, Higher Pay For New Teachers

The A.F.L.-C.I.O., the nation's largest labor coalition, last month endorsed competency testing for entry-level teachers.

The endorsement is the first public statement on the issue from the labor group, whose membership includes the American Federation of Teachers, one of the country's two national teachers' unions.

The resolution containing the endorsement, which was approved by delegates at the group's biennial convention, also advocates the raising of beginning teachers' salaries by about $6,000 over the current national average of $14,000. And it suggests that teacher-salary schedules be shortened to allow teachers to reach maximum pay within three to five years of entering the profession.

In addition, the resolution calls on colleges and universities that train classroom teachers to place "greater emphasis on subject-matter competency and less emphasis on methods courses," said Scott D. Widmeyer, a spokesman for the A.F.T.

The A.F.T. has supported the idea of testing prospective teachers, and its president, Albert Shanker, has advocated a national test for new teachers. Mr. Shanker is also president of the A.F.L.-C.I.O.'s 4-million-member department of professional employees, which drafted the resolution.

The A.F.L.-C.I.O. resolution does not advocate a national test.

N.C.A.A. To Study Modified Proposal on Freshman Athletes

The council of the National Collegiate Athletic Association and the association's commission of college presidents will co-sponsor an amendment modifying proposed academic standards governing the eligibility of freshman athletes for intercollegiate sports.

The amendment, scheduled to be voted on at the N.C.A.A.'s January convention, phases in the proposed standards, according to Jim Marchiony, a spokesman for the association.

In 1983, the N.C.A.A. approved as minimum requirements for freshman eligibility a 2.0 high-school grade-point average in an 11-course core curriculum and either a combined Scholastic Aptitude Test score of 700 or a score of 15 on the American College Testing program's college entrance examination. These standards are now scheduled to become effective next August.

The proposed modifications would delay implementation of the standards until the 1988-89 academic year and would substitute a flexible indexing formula, using high-school grade averages and scores on college entrance examinations, to establish eligibility for the next two years.

The rules apply only at colleges and universities in Division I, the N.C.A.A.'s top competitive division.

Record Companies Accept Guidelines On Rock Lyrics

A group representing most of the nation's record companies has recommended that its members either include warning labels on albums containing potentially offensive lyrics or print the records' lyrics on the backs of album covers.

The Nov. 1 announcement by Stanley M. Gortikov, president of the Recording Industry Association of America, represented a victory for the National PTA and the Parents Music Resource Center, which have been waging a highly publicized campaign against youth-oriented recorded music that they say promotes sex, violence, and substance abuse.

Mr. Gortikov said that all of the 22 members of the R.I.A.A. he has approached so far have agreed to abide by the guidelines. The association's members produce more than 80 percent of all records sold in the country.

According to Mr. Gortikov, the warning "Explicit Lyrics—Parental Advisory" will begin appearing on the backs of some album jackets by early next year.

In a prepared statement, leaders of the P.M.R.C. and the National PTA applauded the record group for "responding to the core concerns of our organizations."

Work Begins on TV Series About Desegregation Suit

A Berkeley, Calif., television production company has received a $200,000 grant from the National Endowment for the Humanities to help finance the production of a four-part television "mini-series" on the landmark *Brown* v. *Board of Education* school-desegregation lawsuit.

According to the project's director, Avon Kirkland of New Images Productions Inc., the N.E.H. funds will be used to support the adaptation for television of *Simple Justice*, Richard Kluger's award-winning history of the *Brown* case.

The series, which is being produced jointly with WGBH-TV in Boston, will probably be aired on public-television stations during 1987, Mr. Kirkland said.

"We think *Simple Justice* will make excellent television," said Mr. Kirkland. "*Brown* was a landmark decision, one that marked an important change in the direction of race relations in America. What we're trying to do is bring that story to the screen. *Simple Justice* documents the story so well."

STATES

Florida Regents Raise Standards

Despite the opposition of some Florida educators, the board of regents of the state's university system has tightened entrance requirements at its nine campuses.

The new standards, which take effect in 1986, require as minimums for admission a 2.5 high-school grade-point average and a score of

DATABANK

Special Education: A Decade of Growth

Ten years ago, under the threat of a Presidential veto, the Congress overwhelmingly passed a law whose complexity and detail encompassed a simply worded intent—to provide all handicapped children a "free, appropriate" public education.

Known as the Education of All Handicapped Children Act, or P.L. 94-142, it constituted a "massive change of public policy unlike anywhere else in the world," said Edwin Martin, assistant secretary of the Education Department's office of special education and rehabilitative services from 1969 to 1979. "It was a commitment of an important educational and philosophical kind, embracing and affirming the human rights of disabled people."

The law, which was five years in the making, created such controversy that before signing it, President Gerald R. Ford read aloud his original veto message—agreeing only to sign the law after it became apparent that both houses of the Congress would override a veto.

"Unfortunately, this bill promises more than the federal government can deliver, and its good intentions could be thwarted by the many unwise provisions it contains," President Ford said. "There are . . . features in this bill which I believe to be objectionable, and which should be changed. It contains a vast array of detailed, complex, and costly administrative requirements which unnecessarily assert federal control over traditional state and local government functions. It establishes complex requirements under which tax dollars would be used to support administrative paperwork and not educational programs."

Today, many of those involved with the writing of the law or charged with carrying it out, call it a success. Its main intent, they say, has for the most part been realized.

But some of the concerns voiced by President Ford in November 1975 linger—in particular, the paperwork burden and cost and the complexity of the law's evaluation, placement, and due-process procedures.

"There is too much reliance on P.L. 94-142 to resolve all problems, when it really should be used as a baseline," says Frederick J. Weintraub of the Council for Exceptional Children and one of the main architects of the law. "It doesn't teach kids. It has nothing to do with quality. All the individualized education plans in the world will not assure a kid's learning. A lot of energy goes into compliance, but it doesn't necessarily go into what needs to be done beyond compliance. There is something in me that would like to declare the entire nation in compliance and get on with it."

"There is now a whole generation of people—professionals and parents—who are what I call the post-P.L. 94-142 generation," he adds. "They're not people who say, 'Gee, I remember what it used to be like'; they're not people who say 'God, my dreams have been met.' They're people who say, 'Now I have some dreams, and P.L. 94-142 is our reality, not our dream.' "

The question for the decade ahead, he suggests, will be "the degree to which government at all levels can begin to reinforce and build on those dreams."

—A.T.

Pupils 3 to 21 in Special Education, 1976-84

Type of Handicap	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84
				Number Served, in Thousands				
All conditions	3,692	3,751	3,889	4,005	4,142	4,198	4,255	4,298
Learning disabled	796	964	1,130	1,276	1,462	1,622	1,741	1,806
Speech impaired	1,302	1,223	1,214	1,186	1,168	1,135	1,131	1,128
Mentally retarded	959	933	901	869	829	786	757	727
Seriously emotionally disturbed	283	288	300	329	346	339	352	361
Hard of hearing and deaf	87	85	85	80	79	75	73	72
Orthopedically handicapped	87	87	70	66	58	58	57	56
Other health impaired	141	135	105	106	98	79	50	53
Visually handicapped	38	35	32	31	31	29	28	29
Multihandicapped	(*)	(*)	50	60	68	71	63	65
Deaf-blind	(*)	(*)	2	2	3	2	2	2
				Percentage Distribution of Persons Served				
All conditions	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Learning disabled	21.5	25.7	29.1	31.9	35.3	38.6	40.9	42.0
Speech impaired	35.3	32.6	31.2	29.6	28.2	27.0	26.6	26.2
Mentally retarded	26.0	24.9	23.2	21.7	20.0	18.7	17.8	16.9
Seriously emotionally disturbed	7.6	7.7	7.7	8.2	8.4	8.1	8.3	8.4
Hard of hearing and deaf	2.4	2.3	2.2	2.0	1.9	1.8	1.7	1.7
Orthopedically handicapped	2.3	2.3	1.8	1.6	1.4	1.4	1.3	1.3
Other health impaired	3.8	3.6	2.7	2.6	2.4	1.9	1.2	1.2
Visually handicapped	1.0	.9	.8	.8	.8	.7	.7	.7
Multihandicapped	—	—	1.3	1.5	1.6	1.7	1.5	1.5
Deaf-blind	—	—	.1	.1	.1	.1	.1	.1
				As Percent of Total Enrollment				
All conditions	8.33	8.61	9.14	9.62	10.11	10.47	10.73	10.98
Learning disabled	1.80	2.21	2.66	3.06	3.57	4.05	4.39	4.62
Speech impaired	2.94	2.81	2.85	2.85	2.85	2.83	2.85	2.88
Mentally retarded	2.16	2.14	2.12	2.09	2.02	1.96	1.91	1.86
Seriously emotionally disturbed	.64	.66	.71	.79	.85	.85	.89	.92
Hard of hearing and deaf	.20	.20	.20	.19	.19	.19	.18	.18
Orthopedically handicapped	.20	.20	.16	.16	.14	.14	.14	.14
Other health impaired	.32	.31	.25	.25	.24	.20	.13	.13
Visually handicapped	.09	.08	.08	.08	.08	.07	.07	.07
Multihandicapped	—	—	.12	.14	.17	.18	.16	.17
Deaf-blind	—	—	.01	.01	.01	.01	.01	.01

* Not available.
— Not applicable.

Note: Counts are based on reports from the 50 states and District of Columbia only (i.e., figures from U.S. territories are not included). Percentages of total enrollment are based on the total annual enrollment of U.S. public schools: preprimary through 12th grade. Details may not add to totals because of rounding.

Source: Calculated from U.S. Education Department, Office of Special Education and Rehabilitative Services, *Sixth Annual Report to Congress on the Implementation of Public Law 94-142: 1984*, and unpublished tabulations (September 1984).

Number of Special-Education Teachers and Pupil-Teacher Ratios

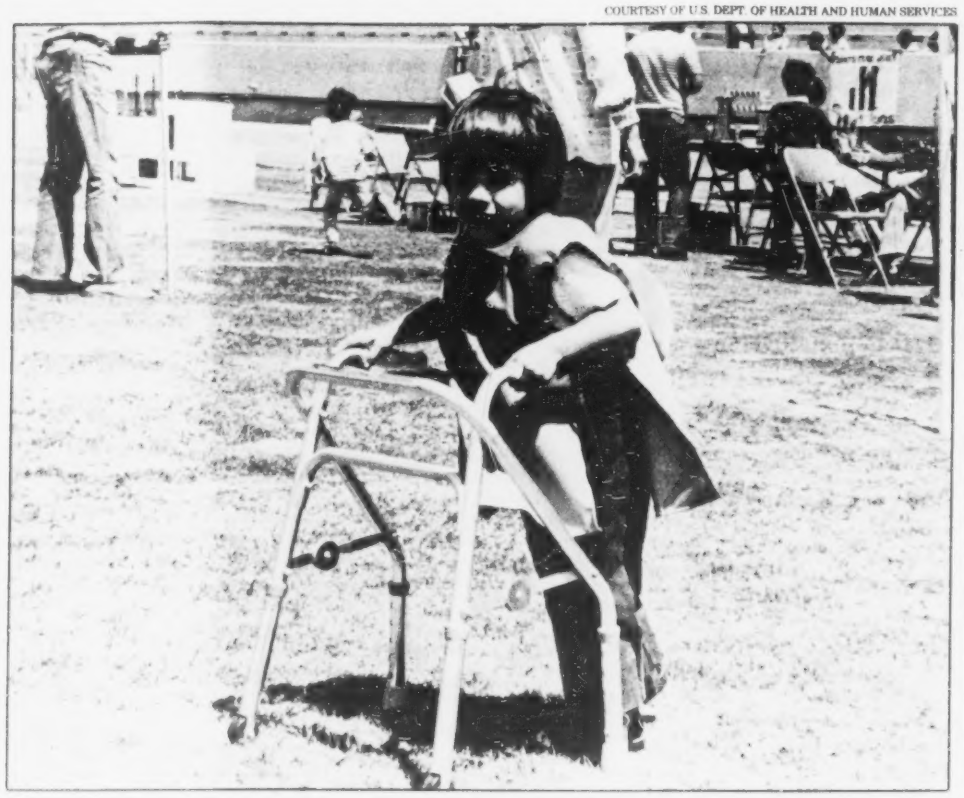
Type of Handicapped Persons Taught	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	Percent Change 1976-77 to 1982-83
All conditions:								
Number of teachers employed	178,768	193,571	202,000	219,835	231,403	233,516	238,567	33.5
Ratio of pupils per teacher	21:1	19:1	19:1	18:1	18:1	18:1	18:1	
Learning disabled:								
Number of teachers employed	43,906	53,743	62,379	74,812	84,756	83,468	82,357	87.6
Ratio of pupils per teacher	18:1	18:1	18:1	17:1	17:1	19:1	22:1	
Speech impaired:								
Number of teachers employed	18,355	19,736	19,038	24,073	24,379	20,443	19,553	6.5
Ratio of pupils per teacher	71:1	62:1	64:1	49:1	48:1	56:1	58:1	
Mentally retarded:								
Number of teachers employed	71,008	75,061	70,389	68,138	67,238	63,267	60,504	-14.8
Ratio of pupils per teacher	14:1	12:1	13:1	13:1	12:1	12:1	12:1	
Seriously emotionally disturbed:								
Number of teachers employed	21,666	20,660	23,185	26,610	27,338	25,015	26,870	24.0
Ratio of pupils per teacher	13:1	14:1	13:1	12:1	13:1	14:1	13:1	
Hard of hearing and deaf:								
Number of teachers employed	8,665	8,587	9,131	8,087	8,234	7,953	8,126	-6.2
Ratio of pupils per teacher	10:1	10:1	9:1	10:1	10:1	9:1	9:1	
Orthopedically handicapped:								
Number of teachers employed	5,331	4,707	5,673	4,710	4,419	4,642	4,356	-18.3
Ratio of pupils per teacher	16:1	19:1	12:1	14:1	13:1	12:1	13:1	
Other health impaired:								
Number of teachers employed	4,948	5,106	4,904	5,121	3,168	3,514	3,074	-37.9
Ratio of pupils per teacher	29:1	27:1	21:1	21:1	31:1	23:1	17:1	
Visually handicapped:								
Number of teachers employed	3,451	3,506	4,210	3,353	3,470	3,027	3,255	-5.7
Ratio of pupils per teacher	11:1	10:1	8:1	9:1	9:1	10:1	9:1	
Multihandicapped:								
Number of teachers employed	(*)	(*)	(*)	3,962	5,428	5,400	5,185	—
Ratio of pupils per teacher	—	—	—	15:1	13:1	13:1	13:1	—
Deaf-blind:								
Number of teachers employed	(*)	(*)	(*)	671	369	392	883	—
Ratio of pupils per teacher	—	—	—	4:1	8:1	6:1	3:1	—
Non-categorical:								
Number of teachers employed	(*)	(*)	(*)	(*)	(*)	15,838	24,403	—

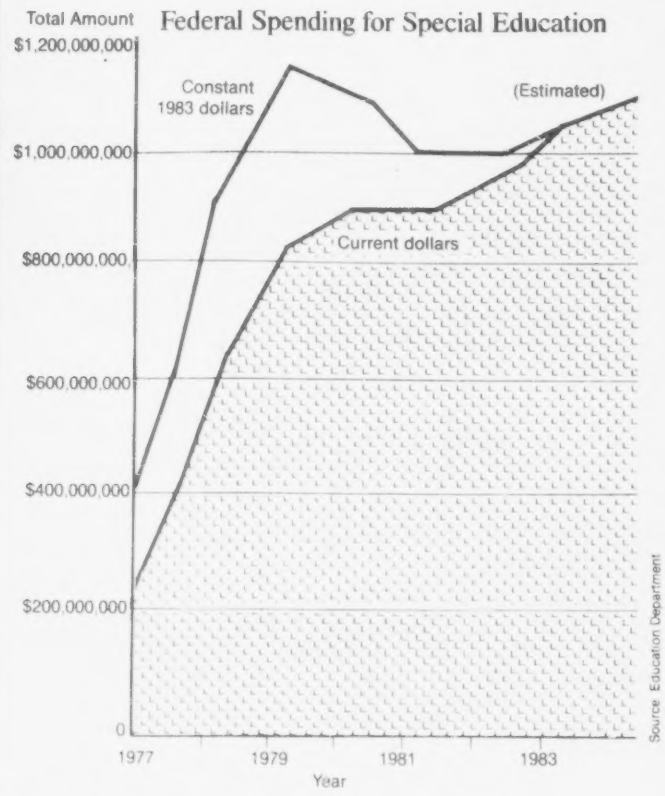
* Not available.
— Not applicable.

Note: Teacher counts are based on reports from 49 states and the District of Columbia only (New Mexico does not report on special-education personnel and figures from U.S. territories and the Bureau of Indian Affairs are not included). Totals for all conditions exceed sums for individual conditions because some special-education teachers have not been categorized in some state reports. Teacher counts include those serving the 0- to 21-year-old population, while participant counts refer only to the 3- to 21-year-old population. Pupil-teacher ratios are based on the counts shown in table above.

Source: Calculated from U.S. Education Department, Office of Special Education and Rehabilitative Services, *Sixth Annual Report to Congress on the Implementation of Public Law 94-142*, appendix 3, table 3B1, 1984, and unpublished tabulations (January 1985).

COURTESY OF U.S. DEPT. OF HEALTH AND HUMAN SERVICES





Children Ages 3-21 Receiving Special Education Under P.L. 94-142, By Disability
1984-85 School Year

State	All Conditions	Learning Disabled	Speech Impaired	Mentally Retarded	Emotionally Disturbed	Hard of Hearing &Deaf	State	Multi-Handicapped	Orthopedically Impaired	Other Health Impaired	Visually Handicapped	Deaf-Blind	Fiscal 1985 Allocation	% of 5-17 Population
Alabama	88,015	26,043	19,420	34,186	5,276	727	Alabama	962	471	595	309	26	$ 23,934,370	10.81
Alaska	8,574	5,132	2,347	290	266	129	Alaska	165	169	34	30	12	2,331,572	8.09
Arizona	50,523	26,025	11,385	5,478	5,141	603	Arizona	698	463	447	283	0	13,738,979	8.49
Arkansas	44,670	21,422	9,637	12,169	446	342	Arkansas	337	87	148	80	2	12,147,342	9.40
California	370,336	207,661	92,477	27,343	6,814	6,646	California	5,388	6,928	12,671	2,246	162	100,707,368	8.05
Colorado	42,692	20,534	7,695	3,427	7,954	755	Colorado	1,427	629	0	271	0	11,609,455	7.21
Connecticut	62,266	28,870	12,990	4,782	13,083	612	Connecticut	620	323	940	43	3	16,932,313	11.28
Delaware	11,355	6,323	1,695	949	2,231	62	Delaware	23	34	26	11	1	3,087,823	10.14
District of Columbia	3,400	1,372	1,632	189	114	49	District of Columbia	8	11	22	1	2	924,579	3.70
Florida	155,854	61,082	50,877	21,443	16,610	1,414	Florida	0	1,925	1,885	590	28	42,377,283	8.70
Georgia	99,444	31,798	24,363	24,192	16,620	918	Georgia	0	756	340	452	5	27,042,317	8.36
Guam	1,605	652	196	677	24	4	Guam	16	21	3	12	0	1,642,523	†
Hawaii	11,801	7,351	2,307	1,064	379	237	Hawaii	154	238	4	67	0	3,209,106	5.99
Idaho	17,776	8,416	4,507	2,731	538	284	Idaho	328	388	511	72	1	4,833,919	7.87
Illinois	212,826	92,091	73,172	23,469	19,521	1,255	Illinois	0	1,262	1,578	478	0	57,874,866	9.65
Indiana	96,273	31,899	40,333	19,173	2,928	678	Indiana	570	344	29	316	3	26,180,011	8.73
Iowa	56,907	22,045	14,227	12,105	5,835	775	Iowa	688	1,038	0	180	14	15,475,012	10.11
Kansas	39,568	16,443	11,663	5,869	3,910	410	Kansas	295	413	348	193	24	10,759,929	8.73
Kentucky	71,791	21,865	25,680	19,026	2,388	519	Kentucky	925	409	567	374	38	19,522,495	9.53
Louisiana	76,589	36,933	21,701	10,408	3,598	1,037	Louisiana	622	636	1,268	372	14	20,827,240	8.05
Maine	26,056	9,715	6,584	4,152	3,709	369	Maine	556	397	412	161	1	7,085,542	11.58
Maryland	89,186	47,044	25,684	6,618	3,876	1,030	Maryland	2,752	783	818	563	18	24,028,460	11.27
Massachusetts	125,971	44,196	29,012	26,909	17,348	1,724	Massachusetts	2,757	1,341	1,840	787	57	32,730,112	12.56
Michigan	150,708	62,029	43,169	14,643	21,085	2,804	Michigan	1,477	4,613	0	888	0	40,982,800	8.27
Minnesota	80,142	36,652	19,091	12,777	7,663	1,336	Minnesota	0	1,378	820	383	42	21,793,425	10.11
Mississippi	50,879	20,512	17,088	11,951	399	319	Mississippi	191	315	0	103	1	13,835,787	8.83
Missouri	100,203	41,376	31,266	16,838	7,421	730	Missouri	755	833	677	223	84	26,052,201	10.66
Montana	15,302	7,642	4,875	1,338	665	128	Montana	340	101	145	49	19	4,161,151	9.22
Nebraska	29,959	12,094	9,051	5,031	2,275	391	Nebraska	373	612	0	134	0	8,146,905	9.60
Nevada	13,469	7,819	3,062	891	806	131	Nevada	370	225	109	56	0	3,662,694	8.21
New Hampshire	14,136	8,862	2,866	782	1,135	9	New Hampshire	136	105	239	1	1	3,844,075	7.68
New Jersey	161,763	68,538	60,483	7,895	14,276	1,239	New Jersey	7,497	779	824	217	15	43,989,042	11.82
New Mexico	27,786	11,094	8,544	2,676	2,720	282	New Mexico	783	358	1,245	78	6	7,555,990	9.20
New York	251,113	129,031	29,788	26,184	36,493	2,849	New York	4,654	1,418	19,233	1,414	49	68,286,446	7.83
North Carolina	116,001	52,464	27,246	25,030	6,408	1,271	North Carolina	997	904	1,194	483	4	31,564,054	9.80
North Dakota	11,357	5,130	3,905	1,609	388	126	North Dakota	0	124	37	37	1	3,088,367	8.29
Ohio	192,087	73,056	56,483	45,512	6,698	2,367	Ohio	3,463	3,645	0	844	18	52,235,203	9.19
Oklahoma	63,537	27,908	20,605	11,485	1,021	596	Oklahoma	1,084	385	223	194	36	17,277,942	9.93
Oregon	42,397	24,968	11,900	1,903	2,163	270	Oregon	0	631	449	113	0	11,529,234	8.41
Pennsylvania	179,117	67,394	59,591	34,914	12,344	2,610	Pennsylvania	0	1,110	0	1,143	11	48,708,205	8.40
Puerto Rico	39,197	3,973	1,764	21,299	1,230	2,416	Puerto Rico	2,881	2,220	1,101	2,226	87	10,658,769	4.45
Rhode Island	18,159	12,093	3,084	1,196	1,159	174	Rhode Island	33	187	159	66	8	4,938,070	10.94
South Carolina	71,531	23,183	20,508	19,140	6,049	947	South Carolina	277	784	181	457	5	19,513,793	10.63
South Dakota	12,453	4,031	5,482	1,515	440	170	South Dakota	541	159	39	60	16	3,386,408	8.71
Tennessee	97,556	43,240	28,891	16,544	2,517	1,420	Tennessee	1,642	1,058	1,629	597	18	26,528,904	10.65
Texas	282,762	154,132	67,274	25,373	19,372	963	Texas	3,480	3,782	6,685	1,631	70	76,892,921	8.63
Utah	40,115	14,426	8,533	3,249	11,756	297	Utah	1,230	274	208	109	33	10,908,678	9.57
Vermont	7,979	3,708	2,631	1,049	314	93	Vermont	11	59	87	26	1	2,169,770	7.98
Virginia	100,605	43,874	30,049	14,630	7,258	1,240	Virginia	2,140	583	279	526	26	27,358,034	9.70
Virgin Island*	—	—	—	—	—	—	Virgin Island*	—	—	—	—	—	1,519,984	†
Washington	64,109	33,925	14,144	7,662	3,451	1,076	Washington	1,110	827	1,658	249	7	17,433,489	7.87
West Virginia	42,520	17,158	13,061	9,568	1,821	324	West Virginia	0	273	112	197	6	11,562,682	10.76
Wisconsin	72,438	29,573	17,605	11,738	10,694	876	Wisconsin	624	542	389	283	14	19,698,437	7.88
Wyoming	9,671	5,056	2,535	739	908	96	Wyoming	0	119	183	33	2	2,629,885	8.95
American Samoa	116	0	0	116	0	0	American Samoa	0	0	0	0	0	572,170	†
Bur. of Indian Affairs	5,364	3,057	1,250	502	257	31	Bur. of Indian Affairs	195	31	28	13	0	11,239,059	†
Trust Territories*	—	—	—	—	—	—	Trust Territories*	—	—	—	—	—	2,138,460	†
Northern Marianas*	—	—	—	—	—	—	Northern Marianas*	—	—	—	—	—	279,349	†
U.S. and Territories	4,128,009	1,822,910	1,115,408	622,428	331,794	48,160	U.S. and Territories	55,575	47,600	62,419	20,724	991	$ 1,135,145,000**	

* Not funded on the basis of child count.
**The grant total is based on a fiscal 1985 appropriation that Congress could change through a supplemental appropriation or a rescission.
† Information not available.

Source: Education Department

Increase in Number of Learning-Disabled Students Spurs Review

Continued from Page 1

cap. And that circumstance has further fueled the professional debate of the last few years over the definition of learning disabilities and the degree to which P.L. 94-142 was intended to extend coverage to pupils with learning problems that do not have a clear neurological basis.

In their search for new ways to adapt the detailed prescriptions of the law to the current complexities surrounding the nation's $10-billion-plus investment in special education, researchers and practitioners are investigating several avenues of change:

- They are analyzing the reasons for the growth in the special-education population and honing methods to identify—if possible—which students are actually learning-disabled and which are simply not performing up to their potential.
- They are studying and experimenting with funding mechanisms to give districts more flexibility in serving all special-needs students, not just the learning-disabled.
- And they are are trying to forge new links between mainstream and special-education teaching that will improve services for all students.

Growth in Population

About 4.1 million children were served by P.L. 94-142 last year, up more than 600,000 from a decade ago. The population has been increasing gradually since the law was passed, despite the overall decline in public-school enrollment during that time.

In the late 1970's, the Congress imposed a 2 percent cap on the number of students who could be served in any one learning-disability category, but that was lifted in 1979.

The number of students labeled as educable mentally retarded (E.M.R.) decreased from 969,547 in 1976-77 to 750,534 in 1983-84, but the total number of learning-disabled students increased from 797,213 to 1,811,489 in the same period. And although the rate of growth has decreased, such students now make up 42 percent of the total special-education population.

History of Term

According to a report, "Identifying Learning-Disabled Students," issued last year by the U.S. Education Department, the first national attempt to provide a common definition for learning disabilities came in a 1966 task-force report issued by a division of the National Institutes of Health.

"Since that time," wrote James C. Chalfant, professor in department of special education at the University of Arizona and the author of the Education Department report, "the literature has reflected over 50 terms to describe learning-disabled students."

According to Mr. Chalfant, who is now writing a policy paper for a special-education task force set up by Secretary of Education William J. Bennett, the definition of learning disability has been a source of disagreement "for many years." As early as 1973, he noted, 38 different definitions were reported.

Included in P.L. 94-142 is a federal definition, which reads:

"The term 'children with specific learning disabilities' means those children who have a disorder in one or more basic psychological processes involved in understanding or in using language spoken or written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. Such disorders include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Such term does not include children who have learning problems, which are primarily the result of visual, hearing, or motor handicaps, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage."

Some 23 states and the District of Columbia use the federal definition verbatim, according to Mr. Chalfant; the remaining states use a modification of the definition or have created their own.

He and other researchers say, however, that definitions of learning disabilities vary from district to district, and even from school to school. Increasingly, they say, the term "learning-disabled" has been broadened to include all children whose achievement does not match their I.Q. potential.

And since low-achievers can make up as much as 30 percent of an average school population—higher in urban inner-city schools—many believe the learning-disabled classification has become "a dumping ground," according to Anne Flemming, president of the Association for Children and Adults with Learning Disabilities. Educators too often say, " 'If a child misbehaves, we'll send him into a learning-disabled class,' " Ms. Flemming said.

"If you went around saying all cats are animals, therefore all animals are cats, people would call you crazy," said James Gallagher, Kenan professor of education at the University of North Carolina and director of the university's Frank Porter Graham Center for child-development studies. "But if you say kids who are learning-disabled have trouble in school, and therefore all kids who have trouble in school are learning-disabled, you get a hearing."

Reasons for Growth

Part of the growth in the learning-disabled population can be traced to a semantic shift, Mr. Chalfant noted. Many children who would previously have been classified as E.M.R. or emotionally disturbed are being classified as learning-disabled because that term is less stigmatizing, he said.

The number of minority students in learning-disabled classes has grown rapidly in recent years, in part because the parents of such children were among those to complain about the use of the E.M.R. classification.

Experts suggest that the percentages of black students in the learning-disabled category has risen significantly. Researchers say they do not have reliable current data to show a continuing pattern, but 1980 federal figures—the latest available from the Education Department's office for civil rights—show black, Hispanic, and white students as approximately equally represented in that category. Later federal data show black students as still overrepresented in E.M.R. classes.

Experts point out, however, that another explanation for the rising numbers is that services for learning-disabled pupils, available largely at the elementary-school level during the early years of the law, have gradually been expanded to the secondary-school level.

But a more important factor in the growth of the learning-disabled population, the experts say, has been funding cuts in other programs, such as Chapter 1, which serves disadvantaged students, bilingual education, and other programs aimed at special populations. Those cuts, they say, have left very few other support services for students with learning problems.

The issue, they argue, largely boils down to funding and where it is available.

State Systems Vary

Every state uses a different system for allocating money for special education. General estimates show that it costs two to three times more to educate a special-education student than a nonhandicapped student, but the cost varies according to handicapping condition.

According to a Congressional commission's report on special-education finances, in 1981 the average total expenditure per handicapped child was $3,500, with about $250 of

Critics Find Fault With Administration's Handicapped-Aid Efforts

By James Hertling

WASHINGTON—Special-education advocates and administrators were heartened in 1983 when President Reagan picked Madeleine C. Will as the Education Department's assistant secretary for special education and rehabilitative services.

In their view, after two years of failed efforts to deregulate, defund, and effectively dismantle federal special-education programs, the Administration had made a conciliatory gesture with the appointment of Ms. Will, who had worked on issues involving the handicapped and was the mother of a handicapped son.

But some of those who monitor, work with, or have worked in her office say they remain dismayed at the Administration's efforts in the area of education of the handicapped. They are especially disappointed because, they say, the initial promise of Ms. Will's tenure has gone unfulfilled.

"There seems to be a lack of concern for the well-being of the total [special-education] system" in Ms. Will's office, said Frederick J. Weintraub, head of governmental relations for the Council for Exceptional Children.

In an interview last week, Ms. Will dismissed such criticisms, saying they stemmed from a "false perception." She said that she was pleased with the work of her staff and with the progress being made on major issues.

Bureaucracy Under Fire

The office of special education and rehabilitative services, which Ms. Will manages, has three main branches—the office of special-education programs, the rehabilitation services administration, and the National Institute of Handicapped Research. It has a budget of more than $2.5 billion and a staff of more than 500.

"Our nation is committed to serving handicapped children and adults," Ms. Will said in Congressional testimony last year. "I think that the Education Department and the Administration totally support that commitment."

But "the reality and the rhetoric are very different," said George J. Hagerty, who worked in OSERS from 1978 until this year and who is now an administrator and professor at Stonehill College in North Easton, Mass.

He criticized the Administration's inaction on a number of issues—among them the link between regular and special education and the expanding learning-disabled population—and lamented the low morale of OSERS employees and poor communication between federal and state and local officials.

As an example, he pointed to deep budget reductions in programs designed to help teachers deal with learning-disabled pupils.

Moreover, the office of special-education programs is losing "good, experienced people," said Wendy Cullar, until recently director of that office. "There's an increase in the programs the office has to administer, and a decrease in staff."

Many of these problems, both critics and supporters of Ms. Will said, are caused by institutional and historical factors beyond her control.

"Madeleine Will must implement programs designed in a period of growth in regulations, at a time when the federal government had a significant role," Mr. Hagerty observed. "She is now operating in an Administration with a view that we've been overprescriptive in the past."

"She's handicapped by the political and philosophical biases of this Administration," he said.

William Schipper, executive director of the National Association of State Directors of Special Education, said delays in issuing regulations and proposed special-education budget cuts were attributable to policies of the White House Office of Management and Budget, whose dictates agencies like OSERS must typically live with.

Moreover, such problems as low staff morale and losses of experienced staff members are endemic to bureaucracies rather than unique to the current Administration, said Martin Gerry, a former head of OSERS who now practices law in Washington. Discontent in the ranks, he said, "may be more institutionalized than real."

Mr. Gerry added that the reportedly poor relationship between Ms. Will and state officials is perhaps tied more to personality than policy.

"Madeleine has not had a chance to sit down and talk to many state directors," he said. "She has not 'worked' the group. Everyone knew Ed Martin [the former OSERS head]. It's not true with Madeleine."

But he contended that "she's now making more of an effort to do that. In a very real sense, she's never going to be a 'good ol' boy,' but I think they're coming to understand and respect her."

Complaints Detailed

But other experts said they could not recall communication and the relationship between federal officials and state and local officials who must implement federal law ever being worse.

Mr. Hagerty, who was in charge of the state-monitoring office from 1983 until this past summer, said that "state and local governments feel tremendously up in the air about a number of fundamental issues where they receive no guidance from the federal government."

He said that during a 12-to-18-month period during his tenure, the state-monitoring office never had more than 12 staff members and, for a time, had no secretarial or support staff.

"It's very difficult to keep up an active process of communication between the states and the federal government if you don't have the personnel or the resources," said Mr. Hagerty.

Ms. Will told a House appropriations panel last year that her agency had "sufficient staff" to conduct program reviews.

But high turnover, numerous temporary appointments, and vacancies in senior policymaking positions also hamper effective coordination and leadership, critics say, linking these trends to Ms. Will's management technique and her "suspicion" of the bureaucracy.

The Administration's response is to "centralize control, to knock out the variables," said a career staff member in OSERS. "They end up with delay, and constituents don't get responses."

The OSERS staff member said many skilled professionals were leaving because of the increasing numbers of political appointees in positions that require extensive expertise.

"I don't think we have an extremely large number of political appointees, and I think the political appointees we bring on have a good rounding in special education and rehabilitative matters," commented Ms. Will in an interview.

'Increasingly Irrelevant'

The probable result of the internal upheavals and retrenchment at OSERS is a shrinking federal role in special education, experts say.

But according to Mr. Gerry, "The law assumes program expertise will be at the local level and it's increasingly come to pass. I don't think we should expect federal government to be the center of expertise."

Mr. Hagerty, however, said that the national scope of special-education issues requires an assertive federal role in promoting those issues. And now, he said, "the federal government and OSERS are becoming increasingly irrelevant."

Said Mr. Weintraub: "I think the field will look elsewhere for leadership. Maybe that's a good thing. Maybe it's healthy."

Staff writer Alina Tugend contributed to this report.

that provided by the federal government, about $900 provided by the state, and the balance provided by local funds.

More money is also spent on children in "self contained" classrooms than on those who are in regular classrooms but also use "resource rooms" for special studies during the day. According to federal figures, in 1982-83, 68 percent of all handicapped children received most of their education in regular classes, while another 25 percent were in separate classrooms. A small proportion of all special-education students were educated in facilities for the handicapped.

'Bounty Hunting System'?

These funding mechanisms encourage the overidentification of students as needing services, some critics suggest—"a bounty hunting system," as James E. Ysseldyke, professor of educational psychology at the University of Minnesota, puts it.

"We have created financial incentives for finding and labeling children as handicapped," he said.

But many argue that the overidentification problem is not the result of greed on the part of school officials seeking extra funds, but is a function of the fact that for children with learning problems special education is often "the only show in town," in the words of Martha J. Irvin, state director of special education for Maryland.

"I think there is a concerted effort on the part of the average teacher and principal to honestly try various approaches," said Wendy Cullar, state director of special education in Florida and former director of the U.S. Education Department's office of special education. "They understand the seriousness of labeling a child handicapped."

Ms. Irvin pointed out that in Maryland, which uses a "neutral" funding formula, "even without the financial incentive at the school-building level, we've had an increase in the learning-disabled population."

Said Vivian Link, the mother of a learning-disabled child and the deputy associate superintendent for the office of exceptional children in Kentucky: "Parents do not want the learning-disabled identification if there are services in the regular program. But if I've got a child who is not making it in your system, I'll take the services where they're available."

"Are there kids who are learning-disabled? Yes," said Frederick J. Weintraub, the Council for Exceptional Children's assistant executive director for governmental relations and a former special-education teacher. "Are there kids who have learning problems who are not learning-disabled? Yes. Now the question comes, what do we do about those kids? The reason they are having a problem is that the education they are receiving is not meeting their needs."

"The tendency is to find help for those kids," he continued. "I've got a resource teacher who helps kids learn to read who don't know how to read. What do I do? What I do is, I make the kid learning-disabled, or put some label on his head to get him help. Is that what I ought to do? Of course not. But while I'm fixing the future, what I'm going to do is find ways to get the kid help."

Identification Issues

P.L. 94-142's requirement that educators evaluate and classify students identified as needing that extra help is now the focus of much debate, not only because the costs of doing so are high but because there is so little agreement on how to define learning disabilities.

A study of special education in the state of Colorado found that in 1978-79, of the $1,204 the state spent on each learning-disabled child, an average of $505 was spent on identification.

"Unless children are identified, schools do not legitimately have a claim to get support," said Margaret Wang, professor and senior scientist at the Learning Research and Development Center at the University of Pittsburgh. "Identification has thus become a major enterprise."

Even before the passage of P.L. 94-142, a 1973 study by Samuel A. Kirk and John Elkins, professors in the department of special education at the University of Arizona, found that only one-third of the children included in about 21 state projects set up to serve the learning-disabled could truly be considered children with learning disabilities. "The others were children who were moderately underachieving in academic subjects," the researchers wrote.

Experts agree that those proportions probably still hold true today. But they divide into two distinct schools of thought on the problem of identification: those who say it cannot be done, and those who say it can.

'Search for Pathology'

Mr. Ysseldyke, who conducted a six-year, federally funded study on the issue, is of the first school.

His study, completed in 1983, determined that learning disabilities cannot be defined scientifically.

The major determinant of whether a child will be placed in special education is "the decision by the regular classroom teacher to refer a student for assessment," he said.

He found that 3 to 6 percent of the school-age population was referred each year for a special-education evaluation. Of those, 92 percent were tested, and of the 92 percent tested, 73 percent were declared eligible for special-education services.

"While one explanation for the large numbers of students declared eligible for services is that teachers are extremely accurate in their referrals, it is more likely that this finding highlights the overidentification of students as handicapped," Mr. Ysseldyke argued.

The researcher went on to note that once a student was identified, a process he termed a "search for pathology" ensued. The more mildly a child was handicapped, the more tests were administered.

Mr. Ysseldyke also found that placement decisions made by teams of individuals had "very little to do with the data collected on the student." Rather, the classification decision became a function of a number of other factors, such as "teacher squeak"—how much a teacher wanted a child out of the classroom—as well as the sex, race, socioeconomic status, and physical appearance of the child. Evaluators given identical data nonetheless made differing decisions based on these characteristics, he reported.

His research also found that under the 17 criteria most commonly used by schools to identify learning-disabled students, over 80 percent of "normal" students could be classified as learning-disabled by one or more definitions.

"There currently is no defensible system for declaring students eligible for L.D. services," Mr. Ysseldyke concluded.

Clarifying Definitions

Other experts agree that all too often, students are classified as learning-disabled in the manner Mr. Ysseldyke's study suggests, but say that researchers are working on more reliable and valid identification methods.

Research by James D. McKinney, professor of education at the University of North Carolina, found that there are characteristics unique to the learning-disabled student.

Mr. McKinney's six-year study, completed in 1983, divided learning-disabled students into subgroups that included problems with language development, with the cognitive process—processing of information—and behavior, or "adaptive functioning."

"I think that further research will clarify the definition," Mr. McKinney said. "I'm just not one to say it can't be done. I think if you make up your mind that it can't be, it won't."

Mr. McKinney also observed that "from a scientific point of view, Mr. Ysseldyke's work is only a beginning attempt to differentiate the handicaps. I think it's a little too preliminary to say they can't be identified."

But even if researchers develop more accurate identification methods, some educators caution, there

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COURTESY OF U.S. DEPT. OF HEALTH AND HUMAN SERVICES

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Supreme Court Rulings on P.L. 94-142

Supporters and opponents of P.L. 94-142 alike agree that the federal law is one of the most thoroughly litigated in history. Four special-education cases have been decided by the U.S. Supreme Court. The following is a summary of the Court's precedents on the subject.

Board of Education of the Hendrick Hudson Central School District v. Rowley *(1982)*

The Court held that a New York school was not required to provide a sign-language intepreter for a deaf pupil. In the ruling, the Justices determined that although P.L. 94-142 requires schools to offer "personalized instruction with sufficient support services to permit the handicapped child to benefit educationally from that instruction," they do not have to ensure that handicapped students reach their "full potential."

Irving Independent School District v. Tatro *(1984)*

The Court ruled that a Texas school must provide sterile, intermittent catheterization services for a child with spinal bifida. In its decision, the Court determined that the law's "related services" provision requires schools to provide services such as catheterization if such services enable a handicapped child to remain at school during the day.

The Court stated that catheterization—a procedure that prevents kidney damage to children who cannot empty their bladders voluntarily—and other similar services "are no less related to the effort to educate than are services that enable the child to reach, enter, or exit the school."

Smith v. Robinson *(1984)*

The parents of a Rhode Island child with cerebral palsy who won a case brought under P.L. 94-142 could not be awarded legal fees for identical claims brought under Section 504 of the Rehabilitation Act of 1973, the Court ruled last year. The Court held that "Congress intended that P.L. 94-142 be the exclusive avenue through which a plaintiff may assert an equal-protection claim to a publicly financed special education."

Because P.L. 94-142 does not contain a provision providing for awards of legal fees, the ruling essentially prohibits parents from receiving such fees if they are the prevailing parties in special-education cases. A bill now pending in the Congress would nullify the effect of the ruling by permitting the awarding of legal fees under P.L. 94-142.

School Committee of the Town of Burlington v. Department of Education of the Commonwealth of Massachusetts *(1985)*

The Court, interpreting a provision of P.L. 94-142 regarding the appropriateness of a child's "educational placement," decided this year that the parents of a handicapped child in Massachusetts could be reimbursed for tuition even though they took their son out of a public school and placed him in a private school without the approval of public-school officials.

The Court held that parents can be reimbursed in such situations if hearing officers or judges subsequently rule that the move was in the child's best interest. However, the Court warned that parents are not entitled to such payments if hearing officers or judges rule that the student's public-school placement was "appropriate" as defined under the law.

—A.T.

Rise in Number of Learning-Disabled Students Spurs Review

Continued from Page 19

will still be many children with learning problems who will not be served.

"We call it 'policy bumping,' " said Mary-Beth Fafard, assistant to the chief administrator for special education in New York City. "If we tighten one category, we'll simply push the problem into someone else's closet."

'Waivers': Promising Idea?

The answer, some say, is that it is time to find creative alternatives to help those who need help, regardless of the label.

A position paper distributed in April by the National Association of School Psychologists advocated "a new national initiative to meet the educational needs of all children."

"It is not a benign action to label as 'handicapped' children who are low achievers but are not, in fact, handicapped, even when this is done in order to provide them with services unavailable in general education," the paper noted.

One of the more dramatic proposals to address the problem, advocated by some researchers and administrators, is "waivers" involving such categorical programs as bilingual-education, Chapter 1, and similar programs.

Under the waiver plan, the amount of funding a school receives would not be based on categories, but on the needs a child has—such as for help in reading. But a school would be guaranteed that if it "lost" a percentage of its special-education population in consequence, it would not also lose the accompanying funding.

"The way we categorize simply isn't useful anymore," said Maynard Reynolds, professor of special education at the University of Minnesota. "We have created narrowly framed categorical programs that don't always make sense from an instructional viewpoint."

"A lot of these programs have been quite important and interesting in establishing accountability in schools, he added. "If we look back over the last 10 years, schools have been good at including students, but we have to look back at the quality of the programs."

Others have suggested that the waiver concept could also be applied within special education alone, to curtail the extensive categorization of pupils that now occurs.

Mr. Chalfant agreed that limited waivers may be an option for the future, both within special education and across the range of federal and state categorial programs. He said he hoped there would be a "federal push" to allow flexibility with money given to states and local school districts through waivers.

"If we're going to serve all the students with learning problems, this cannot be done with the money given to special education," he said. States and districts need permission to develop experimental alternatives with the resources we have."

However, parents of special-education children may not necessarily back the idea.

Nancy LaCount, the mother of a learning-disabled child, noted that such a move would cause grave concern among parents that "money will not be directed toward special education." She also noted that services provided under special education are far more intense than remediation efforts, and "we want special educators that are familiar with the needs of the students."

Mr. Chalfant and others cautioned that the waiver idea is not intended to lead to total block-grant funding for schools, which could divert funds from special education without providing help to those children who really need it.

"If we do that, there could be blood on the streets," Mr. Reynolds said. "But I think we could block for carefully selected schools with great accountability."

Other Solutions

Another alternative some educators suggest is a "one-shot" push by the federal government for remediation efforts outside of special education.

Stanley Bristol, superintendent of Chicago's northern special-education districts, said such an effort, which has already been started on the state level in Illinois, would help low-achieving students without labeling them.

He predicted that once the remediation programs were in place, special-education counts would go down—and "then we can take the money saved under P.L. 94-142 and direct it into these resource programs."

Those involved in assessing special education also say that even without plunging into the maze of federally funded programs, other steps could be taken to lower the special-education count without letting students drop through the cracks.

Last month's meeting of the National Association of State Directors, for example, focused on innovative efforts to create special-education/mainstream-classroom partnerships.

One such innovation is the "teacher-assistance team," an idea developed by Mr. Chalfant, based on providing help by and for regular-education teachers.

In this program, a teacher who is having problems with a student submits a short summary of observations about the student to a team of three elected teachers within the school. The team, joined by the referring teacher, discusses the problem and tries to develop solutions. Sometimes others, including parents, students, and specialists, also participate.

The program has been tried in a number of states over the past 13 years, according to Mr. Chalfant. A recent study of 45 teams in Illinois, Maryland, and Nebraska, found, he said, that through the team system, referral rates to special education dropped dramatically.

Rich Environments

More programs, such as the teacher-team efforts, need to be promoted in regular education, observers say.

"One of the wonderful outcomes of P.L. 94-142 is that it showed that schools can be very rich environments, which can handle many different kinds of students—far more than they thought they could," said the New York schools' Ms. Fafard, a former special-education teacher. "School systems have to look about for creative alternatives."

For example, in California, one of a number of states focusing on alternatives to special education, student-study teams, made up of psychologists, principals, and others, help identify a student's needs, "rather than identifying the student as a special-education case, then identifying his needs," said Elizabeth Richland, California's acting director of special education.

Others say that early intervention through preschool education and services—with a strong initiative at the federal level—could head off some learning problems that later become much more serious.

"We're going to continue to see students who need more help than a traditional classroom setting can provide," said Ms. Irvin, "and unless we make accommodations in our system, more children will continue to be labeled learning-disabled than any of us think is sensible."

FOR THE RECORD

Brademas: Congress Knew What It Was Doing

Former Representative John Brademas, one of the original sponsors of P.L. 94-142 and currently president of New York University, testified before a Senate subcommittee last month at hearings marking the 10th anniversary of the law. The following was excerpted from his testimony.

I realize that the enactment and implementation of P.L. 94-142 have been the subject of some debate and controversy and that there are some who maintain that those of us in Congress did not really understand what we were doing when we wrote the law. Not so.

We who worked in committee and on the floor to fashion the legislation had clear and compelling objectives.

First, there was a pressing problem for which a federal response was both necessary and appropriate. For we were as a nation falling critically short in the goal of providing all handicapped children with the special-education services they needed.

As late as 1973, we heard testimony in committee that our educational system completely excluded 1.75 million handicapped children and provided inadequate educational services to 2.5 million others.

We listened to horror stories from educators, state officals, parents, and representatives of handicapped groups who told us of handicapped children placed in schools but left to languish without help; of children allowed to stagnate in large, impersonal state institutions; of children simply left at home with no chance of an education at all.

A second point, often forgotten in the debate over P.L. 94-142, is that by 1973 the courts had decided that the opportunity for a handicapped child to receive a publicly supported education was grounded in the United States Constitution as a *right*—and that the states were under an obligation to ensure that right.

Even as we were writing the legislation that was to become P.L. 94-142, 40 cases had been filed in 26 states to ensure that this obligation was being fulfilled.

The federal mandate of P.L. 94-142—"to assure that all children with handicaps have available to them . . . a free appropriate public education"—was not, therefore, imposed on unsuspecting states. In fact by 1973, 40 states already had some form of legislation for educating handicapped children. By the time the law was enacted in 1975, 45 states had established, in their own laws, plans to provide full educational services to all of their handicapped children.

The problem, of course, was finding the resources—and the political will—to translate those goals into reality.

At the time we in Congress were studying the matter, the states had a long way to go. In 1971-72, 7 states were educating fewer than 20 percent of their *known* handicapped children; 19 states fewer than a third. Only 17 states had even reached the halfway figure.

In writing P.L. 94-142, then, its authors intended to:

(1) Make explicit a federal responsibility in respect of the education of handicapped children; and

(2) Assist the states in meeting their *own* obligations, under their *own* laws and *own* court decisions, to educate handicapped children.

If I may further refine the aims of its authors, P.L. 94-142 had six essential objectives:

(1) To guarantee the availability of a free appropriate public education to all handicapped children;

(2) To increase federal assistance in order to help state and local school agencies provide special-educational services to all handicapped children who required them.

Before I recite the other points, let me expand on this second one. P.L. 94-142 channeled federal funds to states and local school systems to help them meet the burden of educating all handicapped children ages 3-21.

The formula devised in P.L. 94-142 based federal payments to states and schools on a percentage of average per-pupil expenditures, with the federal share of the cost of educating handicapped children set to rise from 5 percent in 1978 (when the payments were to begin) to 40 percent in 1982.

The allocation to a state or to a school system would vary depending on the number of handicapped children served. This mechanism was deliberately designed as an incentive to encourage local schools to expand their services to handicapped children as soon as possible and so become eligible for increased federal funds by the time payments were to begin in 1978.

Former U.S. Representative John Brademas

In fiscal 1978, available federal funds were to be equally divided between the states and the local schools. After that date, 75 percent of the money was to be directed to the local school system with the state to keep 25 percent.

Because it costs far more to educate a handicapped child than one with no disability, the legislation specified that federal funds could be spent by the state or local education agencies only for the *additional* expenses attendant to the higher cost of educating handicapped children.

The law also contained a program of incentive grants to states of $300 per handicapped child served between the ages of 3 and 5.

(3) To ensure the appropriateness of the instruction provided each handicapped child through requiring an individualized education program for each;

(4) To require that for each student, educational services be provided in the least restrictive environment feasible;

(5) To establish specific compliance requirements at the federal, state, and local levels;

(6) To assess and assure the effectiveness of these efforts to educate handicapped children.

In its final form, P.L. 94-142 was the product of the labors of many dedicated legislators, both Republicans and Democrats.

Will on Classification: 'A Really Complex, Somewhat Gray Area'

Madeleine C. Will, an advocate for the rights of the handicapped and the mother of a handicapped child, was named the U.S. Education Department's assistant secretary for the office of special education and rehabilitative services in 1983. Last week, she spoke with Staff Writers Alina Tugend and James Hertling about her views on the growth in the learning-disabled population and aspects of the federal role in special education.

Q What, in your view, explains the rise in the number of learning-disabled students under P.L. 94-142, and does the federal government have a role in stemming that?

A First, let me correct the premise of your question. That particular category of kids certainly has grown tremendously since P.L. 94-142 was passed. But the rate of growth has been declining in the past few years. That doesn't mean we don't want to look at the growth in that category and investigate issues related to it, but it is noteworthy that the rate of growth is decreasing.

There is a lot of concern on the part of people at the state level with respect to the L.D. category and a lot of activity going on there to look at the criteria that have been developed for identification and to examine the referral and placement process. That may or may not have had an impact on the rate of increase. At this point, we aren't able to suggest a direct correlation.

Q Can you cite some of the reasons for the growth?

A It's a relatively new disorder. It's not something people talked about 50 years ago. The passage of P.L. 94-142 gave some impetus to the identification of children with learning disorders. There was a recognition of children who suffered from learning disorders, and these had to be identified and addressed. And so we're identifying these kids who probably have been doing poorly in the classroom for a period of time. We had better diagnostic tools and procedures available in the late 60's and 70's. That's certainly one reason.

There's been tremendous pressure coming from all points on the spectrum—special education, regular education, and parents—that some kind of improved program option had to be developed for a child who's clearly floundering in the classroom. You just don't sit still and watch your child unhappy, doing poorly in school, and filled with a sense of failure, and the only option up to this point has been special education.

Q Should limiting the growth in the learning-disabled category be a goal now for special education?

A I don't know if I have that as a goal—in fact, I know I don't. That's not an intelligent way to address policy. You don't decide arbitrarily that because the count is growing, there must be too many kids moving into the L.D. category.

The question has been whether there's a problem of misclassification. Now, we don't have any information to suggest that this is the basis for the growth in the child count. But there have been, in some instances, kids who've been misclassified, and that tells us of weakness in assessment and in the batteries of tests that are offered to children.

One of the studies that was released a while ago indicated that when teachers were asked to review the records of children who were nonhandicapped—they were not L.D.—and kids who were truly L.D., they could make no distinction, they had a very difficult time making a distinction between the two populations. It's a really complex and somewhat gray area.

The federal role has to be one of raising the issue, the concern people have at the federal and state level, about whether or not these children are being best served following the process we've followed in the past 10 years.

Q Are you satisfied that links between special educators and regular educators are being developed?

A I'm not sure I can answer that. I think there's discussion about closer coordination between special education and regular education. There are questions about impediments that may exist in terms of federal regulations, as well as state regulations. We just don't have the answers yet. We don't know where the barriers are, if they're real barriers or imagined.

Education Department's Madeleine C. Will

Sometimes it's just the perception that affects policymaking.

Q Has the learning-disabled category become a "dumping ground" for low-achieving students?

A That's too harsh a statement to make. Remember, what motivates people is the best interest of the child. If there's no other option in general education, you canvass the possibilities, and special education is a real possibility. I just wouldn't use that kind of terminology. I don't think general educators dump students. I don't think special educators dump students. They're well-intentioned people.

General educators may feel terribly frustrated, not knowing quite how to develop a solid program for particular youngsters. And, in fact, [the notion] has been reinforced over the past decade that this may not have been their responsibility, that this was something that should have been left to special educators. That's one of the notions that we want to correct.

Q Even if the intent is well-meaning, could the effect be misclassification?

A You may misclassify kids. Moving kids into special education isn't dumping them. That's really beneficial to many kids. But there can be some tradeoffs you don't want to make. Do you really want to remove a child from a regular classroom, from a regular school? I believe there's some very strong good that a child derives from being in the universe of kids, and that you want to think very carefully how to bring the services to the kids.

Q What about new criteria for identifying the learning-disabled?

A We're just not at a point where we can talk to an issue like that. We know there's activity at the state level, and that's healthy and productive. Our role would not be to develop new criteria; we would want to identify what the states had done that was good and highlight that and disseminate information about that.

When we do things at the federal level that indicate there's only way to do it right, we create lots of problems for people. It reinforces the rigidity in these categorical programs. You can separate the programs, but lots of children don't fit neatly into those categorical distinctions, which is what the L.D. problem is really about.

Q What do you think of the idea of "waiving" the distinctions among categorical programs such as Chapter 1, bilingual education, and special education to address the issue?

A I think that's an interesting idea. I like the demonstrations. I like waivers when they're small controlled projects that you can evaluate properly. It's the way we conduct research to determine whether our hypotheses are correct.

Q Is there going to be a federal project?

A That depends on [Secretary of Education William J. Bennett's special-education task force] and its recommendations. So far, the meetings have been very general and exploratory.

Q Has P.L. 94-142's success come at the cost of a too-great investment in compliance rather than services?

A I think there's a lot of emphasis on compliance because of the sheer volume of compliance. There are an awful lot of requirements in P.L. 94-142, but as you know those regulations have been frozen by the Congress. We are not thinking of changes to P.L. 94-142.

A good system is one in which you have an emphasis on both enforcement and technical assistance. Simply because of the circumstances surrounding the passage of the law, and the very rapid implementation that had to take place, there were key requirements that had to be implemented almost immediately, and the emphasis was originally on compliance.

Now, we're discussing more the quality of education, and that is not something that is so easily dictated.

Q You've emphasized during your tenure here the need for early childhood and transitional services. Is there a possibility you would propose raising the cap on the number of special-education students eligible for federal aid to cover those ages 3 to 21, or to equal the provisions of a state's own special-education law?

A I think that's an important issue, and one that needs to be addressed, and a subject that Congress will be attending to. Since we're going to be going through the reauthorization process, I would be greatly surprised if they ignored this issue.

Q Is that something you would advocate?

A No. At this point, we are enforcing the law, which does not allow states to go above the 12 percent count. We've used the same formula for 10 years, and I think it's been a fair process. But if Congress wants us to look at it, we'll be happy to do that.

High Court Hears Arguments in Affirmative-Action Suit

Continued From Page 11

—Associate Justices O'Connor, John Paul Stevens, and Byron R. White—seemed eager to engage the lawyers in debate. Justice Marshall's questioning was confined mainly to his brief exchange with Mr. Oade. And Chief Justice Warren E. Burger and Associate Justices Harry A. Blackmun and William H. Rehnquist—all of whom can be typically found in the thick of things during such arguments—asked no questions during the entire one-hour hearing.

The Court will most likely rule in the case by July.

Other Action

The Justices also dealt last week with the following cases. —

● *Witters* v. *Washington Department of Services for the Blind* (No. 84-1070). The Court heard arguments in the case, in which the state agency denied state and federal vocational-rehabilitation aid to a blind college student studying to become a minister. Last year the Washington State Supreme Court upheld the agency's decision, saying that the provision of aid to the student represented an impermissible advancement of religion in violation of the First Amendment.

According to Michael P. Farris, the student's lawyer, nothing in the First Amendment's establishment clause mandates that ministerial students "be quarantined from state aid."

Mr. Farris argued that the state high court reached its conclusion by a misapplication of the three-part test developed by the Justices for judging the constitutionality of state aid to religious institutions. According to the lawyer, the state court should have judged the effects of the aid program as a whole, rather than the effects of aid to an individual student. Because the effect of the program as a whole is neutral, he argued, Mr. Witters should be eligible for financial assistance.

Timothy R. Malone, an assistant state attorney general, contended, however, that state regulations requiring counselors to approve aid applicants' career choices and courses of study "will produce some very strange results, ones that this Cou should be concerned about."

He asked the Court to suppose that state labor-department data indicated an oversupply of Episcopal ministers and Catholic priests and an undersupply of Lutheran ministers.

"Must the counselor say to those who want to become Episcopal ministers or Catholic priests, 'Sorry I can't help you, but have you considered enrolling in a Lutheran seminary?' " Mr. Malone asked. "There is no way to get out of this swamp."

The Court is expected to rule in the case before July.

● *Lorain Journal Co.* v. *Milkovich* (No. 84-173). The Justices refused a request to review this case, which hinged on the question of whether a high-school coach is a "public figure" and thus subject to a stricter standard in attempting to prove libel.

The case stems from a melee that broke out at an Ohio high-school wrestling match in 1974. A sports-writer for the *News-Herald* of Willoughby, Ohio, wrote a column accusing the coach of one of the teams of instigating the fight and of later lying to a county judge in order to win an order lifting his team's suspension.

The accused coach, who is described as being nationally recognized among wrestling coaches, sued the columnist for libel. After protracted litigation, the Ohio Supreme Court ruled last year that the coach is not a public figure for First Amendment purposes and thus did not have to meet the stricter libel standards.

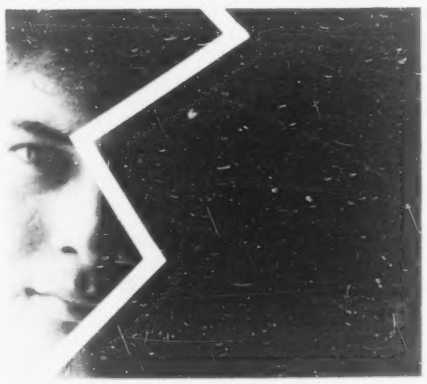
● *Hunt* v. *Guilford County Board of Education* (No. 85-409). The Justices declined to review a federal appeals court's ruling that an autistic boy from Greensboro, N.C., is not entitled under federal civil-rights statutes to year-round education in a local residential center. Because the district does not have such a facility, the services sought would be "overly burdensome," the appeals court said, and thus are not required under the Education for All Handicapped Children Act of 1975 and Section 504 of the Rehabilitation Act of 1973.

● *San Antonio Independent School District* v. *City of San Antonio* (No. 85-453). The Court also turned down this case, which had its genesis in a 1975 Texas law that set regulations for utilities operated by local governments. At issue was the amount of money the school distict owed the city for electricity and gas. Twelve school and hospital districts had sued the city; only the San Antonio district lost its case, due to a legal technicality.

FORUM

Reconnecting At-Risk Youth: It Can Be Done

EDUCATION COMMISSION OF THE STATES



A growing proportion of our young people are not making successful transitions to productive adult lives. They are paying a heavy price. We as a society are paying a heavy price. In the years ahead, the costs are going to get higher.

In 1978, young adults constituted 23% of the U.S. population. By 1995, they will constitute 16%, shrinking by one-quarter the size of the entry-level labor pool. Within that shrinking labor pool are growing numbers of "at-risk" young men and women: people in their teens and early twenties who *could* become productive citizens but most likely will not unless something out-of-the-ordinary happens. They have the intelligence to succeed, but they lack important skills, family support, discipline and the motivation to make it. An unconscionably disproportionate number of them are poor, Black and Hispanic youth.

At stake is whether they will move into productive adult lives or fall into patterns of chronic failure that deepen their alienation and dependency upon the welfare system. Three categories of youth are of major concern:

- **The alienated.** These young middle-class people are uninterested in or dissatisfied with the values represented by school and work. They lack motivation, have poor school and work attendance, and do not perform near their potential.
- **The disadvantaged and alienated.** These young people, always poor and often minorities, share the alienation of middle-class at-risk youth, but they often lack social skills, family support, useful networks and self-esteem as well.
- **The disadvantaged.** These young people have family support and motivation, but they suffer from various effects of economic deprivation and racial discrimination. They are at risk of becoming alienated and of never moving into satisfying, long-term employment.

About 700,000 students dropped out of school last year, and another 300,000 were chronic truants. Rates are much higher for minorities and the poor.

More than three million 16- to 24-year-olds are looking for work and another 391,000 are classified as "discouraged" — they have given up. Most of these discouraged youths are at risk of becoming permanently disconnected from satisfying jobs and careers.

Dropping out and unemployment present real and urgent problems in themselves. But they are also symptoms of underlying problems with the nation's integrative systems. Other symptoms also suggest that traditional American ways of integrating generations and ethnic groups into the mainstream are under stress: teenage pregnancy rates, drug and alcohol abuse, arrests for serious crimes, homicide and suicide. (See the chart on this page for more information).

There are ways to help these young people reconnect with society. And that is the premise behind the work of the Business Advisory Commission of the Education Commission of the States (ECS). The commission, established last year under the leadership of 1984–85 ECS Chairman Charles S. Robb (governor of Virginia) has been and still is examining this serious problem. In its first national report, released in Washington, D.C., on November 1, the commission suggests:

> Yet many of our young people can be reclaimed through cooperative efforts of business and education leaders. We recommend major changes in schooling that go beyond those suggested in the first wave of education reform. We recommend changes in the entry-level labor market for youth and its relations with schools and the primary labor market. We commend exemplary programs already in place and urge that they be replicated. We recommend that state policies that inhibit the necessary changes be replaced by policies that encourage creative, productive approaches to this most serious problem.

Reconnecting Youth: The Next Stage of Reform sets forth the facts, figures and statistics that point up the problem's urgency, challenges several kinds of leaders to take action and suggests some very specific activities. A companion report, to be available later, will list and describe some of the already existing programs that work to help these at-risk young people.

- **All leaders** are challenged to "lead this nation to better understanding of this troubling problem, clarify the consequences of doing nothing and guide people to action that will reconnect these young people to the adults and institutions that will enable them to live up to their potential."
- **Education leaders** are challenged to "get it right the first time," by making early education — less costly than remedial education — more effective, to "foster excellence among all students, not just those who are easy to teach," and to extend the concern for at-risk youth into the postsecondary sector.
- **Business leaders** are challenged to "do what they must do to insure a high-quality work force in the years ahead and to "make an effort to see that any youth who wants work has the opportunity to do so."
- **Policy makers** are encouraged to "clear the way for changes that must be made" by creating incentives, removing barriers and enabling schools, public agencies and business to work together on initiating and improving programs for at-risk youth.

The Business Advisory Commission, chaired this year by Governor Tom Kean of New Jersey (1985–86 ECS chairman), is composed of 35 leaders, who represent government, business, labor and education interests. Their report, *Reconnecting Youth* (48 pages) is available from the Education Commission of the States in Denver (303-830-3692) for $10. Ask for AR85-1.

Doris Ross
Editor, *State education Leader*
Education Commission of the States

Indicators of Growing Youth Problems

Children in poverty	▲	Up from 16% in 1970 to 22% in 1985. About 14 million children live in poverty. Almost half of Black children and one-third of Hispanic children live in poverty.
Drug and alcohol abuse	▲	Up 60-fold since 1960
Teenage pregnancy	▲	Up 109% for Whites, 10% for non-Whites since 1960
Unmarried mothers	▲	Up from less than 1% in 1970 to over 6% today
Female headed households	▲	Up from 12% in 1970 to 23% in 1984
Teenage homicide	▲	Up more than 200% for Whites, 16% for non-Whites since 1950
Teenage suicide	▲	Up more than 150% since 1950
Teenage crime	▲	Arrests up from 18% in 1960 to 34% in 1980 (18-to-24-year olds)
Teenage unemployment	▲	Up 35% for non-Whites, 60% for Whites since 1961

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